

This is not the first time that defendant's attorneys have failed in their obligations to this case and to the Court. See, e.g., Aug. 2022 Order. Accordingly, Mr. Rodriguez and Mr. Polizzotto are each ORDERED TO SHOW CAUSE why they should not be sanctioned pursuant to Fed. R. Civ. P. 16(f)(1)(C) for failing to comply with a Court order and failing to timely apply to extend the Court-ordered deadline. Such showing shall be made by affidavit (one from each of the attorneys) and a memorandum of law compliant with Local Civil Rule 7.1(a)(2) filed on or before January 12, 2024. If there is a claim by Mr. Rodriguez that he was unable to make a timely application, both attorney affidavits must include a disclosure of any efforts by the attorney signatory to communicate with the other attorney regarding the Court-ordered deadline and the need to obtain an extension.

Plaintiff may file any response by January 19, 2024. The Court will thereafter issue a written order in the event a sanction is imposed.

SO ORDERED.

Dated: January 4, 2024
New York, New York



GABRIEL W. CORENSTEIN
United States Magistrate Judge